

**INDIANA CODE SECTIONS AND NON-CODE PROVISIONS
AMENDED, REPEALED, OR ADDED BY PD 3006, INITIAL DRAFT OF
THE 2005 TECHNICAL CORRECTIONS BILL**

(1) AMENDMENTS TO CODE SECTIONS AND CODE SECTIONS ADDED:

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
1.	1-2-3-6	1	Incorrect reference to federal law. There is no "36 U.S.C. 176" in the U.S. Code. PD 3006 changes the reference to "4 U.S.C. 8(k)." The federal law found at 4 U.S.C. 8(k) reads as follows: "The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning."	Upon passage.	Susan Kennell, LSA Attorney [source]
2.	3-8-1-33	1	Conflict resolution. Resolves the conflict between the version of IC 3-8-1-33 as amended by SEA 72 [P.L.14-2004] and the version of IC 3-8-1-33 as amended by SEA 263 [P.L.98-2004].	Upon passage.	
3.	3-11-1.5-35	1	Incorrect internal references. IC 3-11-1.5-4 was amended in 2002. The 2002 amendment eliminated the former subdivision (4) and redesignated the former subdivisions (5), (6), and (7) as subdivisions (4), (5), and (6). However, the references to IC 3-11-1.5-4 in IC 3-11-1.5-35 were not amended accordingly. PD 3006 changes those references in IC 3-11-1.5-35 to reflect the 2002 amendment to IC 3-11-1.5-4.	Upon passage.	Brad King, Co-director, Election Div., Sec. of State's Off. [source]
4.	3-11-2-12	2	Conflict resolution. Resolves the conflict between the version of IC 3-11-2-12 as amended by SEA 72 [P.L.14-2004] and the version of IC 3-11-2-12 as amended by SEA 263 [P.L.98-2004].	Upon passage.	
5.	3-11-15-13	3	Omitted section number. "Sec. 13." is missing from the beginning of IC 3-11-15-13. PD 3006 inserts "Sec. 13." in the proper place.		

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6.	4-1.5-4-3 3		Redundant word. As amended by HEA 1438 [P.L.63-2004], IC 4-1.5-4 provides that the board of the Indiana economic development corporation consists of 23 members. Of these, 22 are to be appointed by the governor. (The lieutenant governor is the 23d member.) No provision is made for any member appointed by the governor to be a nonvoting member. Rather, the implication is that <u>all</u> members appointed by the governor are voting members: IC 4-1.5-4-7 provides that the affirmative vote of at least 12 members [just over 50% of the full membership] is necessary for the board to take any action. IC 4-1.5-4-3, as amended by HEA 1438, provides that " <u>voting</u> members of the board appointed by the governor serve for terms of four (4) years." Since all the board members appointed by the governor are presumably voting members, the word "voting" in IC 4-1.5-4-3 seems to be unnecessary. PD 3006 strikes that word.	July 1, 2005	Jon Laramore, Counsel to the Governor Jerome McCluskey, General Counsel, Dept. of Commerce Ed Gohmann, LSA attorney [source]
7.	4-3-14-4	4	Conflict resolution. Resolves the conflict between the version of IC 4-3-14-4 as amended by HEA 1032 [P.L.28-2004] and the version of IC 4-3-14-4 as amended by HEA 1434 [P.L.96-2004]. Also makes a technical correction in subsection (c)(3), making the reference to the program established under IC 4-3-16 read "small and minority business <u>financial</u> assistance program".	Upon passage.	
8.	4-4-3-8	5	Conflict resolution. Resolves the conflict between the version of IC 4-4-3-8 as amended by HEA 1032 [P.L.28-2004] and the version of IC 4-4-3-8 as amended by HEA 1229 [P.L.73-2004].	Upon passage.	
9.	4-22-2-37.1	9	Conflict resolution. Resolves the conflict between the version of IC 4-22-2-37.1 as amended by SEA 1 [P.L.1-2004] and the version of IC 4-22-2-37.1 as amended by HEA 1001 [P.L.23-2004].	Upon passage.	
10.	4-23-29-4	12	Faulty agreement in number. In subsection (a)(5), "are" must be changed to "is" in two places because a singular verb is called for. The verb relates to "services, supports, or assistance" and -- since the conjunction "or" is used -- the verb must agree with the last noun in the series ("assistance"), which is singular.	Upon passage.	
11.	5-1-7-2	12	Prior millennium reference. IC 5-1-7-2 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
12.	5-2-1-9	13	Conflict resolution. Resolves the conflict between the version of IC 5-2-1-9 as amended by HEA 1352 [P.L.62-2004] and the version of IC 5-2-1-9 as amended by HEA 1437 [P.L.85-2004].	Upon passage.	

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13.	5-2-1-10.5	17	Noncode to Code. P.L.62-2004, SECTION 3, provides that the southwest Indiana Upon passage. law enforcement training academy may receive funding only from certain sources. This provision is permanent rather than temporary in nature. (It has no expiration provision.) Therefore, it should have been added to the Indiana Code. This draft repeals P.L.62-2004, SECTION 3, and adds the language of that noncode provision to the Indiana Code as a new subsection (d) of the existing Code section IC 5-2-1-10.5.		Maj. Anthony Sommer, Staff Attorney, Indiana State Police
14.	5-9-4-7	17	Faulty tabulation. In subsection (d)(1), either there should be an article ("the") at the end of the line immediately preceding clauses (A) and (B), or both clause (A) and clause (B) should begin with an article. At present, clause (A) begins with an article but clause (B) does not. PD 3006 strikes the article that appears at the end of the line immediately preceding clauses (A) and (B) and adds an article at the beginning of clause (B).	Upon passage.	Peggy Piety, LSA Attorney [source]
15.	5-9-4-10	18	Faulty tabulation. In subsection (c), since subdivision (2) begins with "any", the word "the" should be removed from the end of the line immediately preceding subdivision (1) and put at the beginning of subdivision (1).	Upon passage.	Peggy Piety, LSA Attorney [source]
16.	5-10-8-2.2	19	Incorrect internal reference. In subsection (i), "IC 38 -8-8-14.1(h)" cannot be right. (There is no IC 38.) PD 3006 changes the reference to "IC 36 -8-8-14.1(h)". IC 36-8-8-14.1(h) is a provision requiring the unit of local government that employed a deceased pension fund member to offer to provide and pay for health insurance coverage for the member's surviving spouse and children.	Upon passage.	
17.	5-22-15-20.5	21	Incorrect internal reference. In subsection (c), the reference to "subsection (a)" must be changed to "subsection (b)". The determination whether a business is an Indiana business would clearly be made under subsection (b) and not under subsection (a).	Upon passage.	Bob Rudolph, LSA Attorney [source]
18.	6-1.1-4-35	22	Conflict resolution. Resolves the conflict between the version of IC 6-1.1-4-35 as added by SEA 1 [P.L.1-2004] and the version of IC 6-1.1-4-35 as added by HEA 1001 [P.L.23-2004].	Upon passage.	
19.	6-1.1-5.5-4.7	27	Conflict resolution. Resolves the conflict between the version of IC 6-1.1-5.5-4.7 as amended by SEA 1 [P.L.1-2004] and the version of IC 6-1.1-5.5-4.7 as amended by HEA 1001 [P.L.23-2004]. The conflict consists in SEA 1 having omitted the word "the" in the sentence "Money in <u>the</u> fund may be used ..." HEA 1001 did not omit this word.	Upon passage.	

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20.	6-1.1-22.5-10	27	Conflict resolution. Resolves the conflict between the version of IC 6-1.1-22.5-10 as added by SEA 1 [P.L.1-2004] and the version of IC 6-1.1-22.5-10 as added by HEA 1001 [P.L.23-2004]. The only difference between the two is that the SEA 1 version includes the word or word fragment "not" in the following context: "the county treasurer shall give not notice of tax rates ..." The inclusion of "not" in this context appears to have been unintentional. PD 3006 strikes "not".	Upon passage.	Beth Henkel, Commissioner, Dept. Local Gov. Fin.
21.	6-1.1-28-2	27	Prior millennium reference. IC 6-1.1-28-2 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
22.	6-2.5-4-11	28	Incorrect word order. At the end of subsection (b), the words "or radio" must be relocated from <u>before</u> the word "television" to <u>after</u> the word "television" so that the sentence will read "used in connection with the furnishing of cable television or radio service or satellite television or radio service."	Upon passage.	Ross Hooten, LSA attorney [source] Tom Conley, Administrator/Policy Dept. of Revenue
23.	6-3-2-2.6	28	Missing word. In one place in subsection (i)(1) of IC 6-3-2-2.6, the word "Code" was omitted. PD 3006 inserts "Code" immediately after "Internal Revenue". Also, in subsection (j)(1) and (j)(2), PD 3006 adds commas to set off the nonrestrictive clauses (" , as used in . . ,").	Upon passage.	
24.	8-1-19.5-11	30	Misplaced article. In subsection (h) of IC 8-1-19.5-11, the article "a" needs to be relocated. PD 3006 changes "end of state <u>a</u> fiscal year" into "end of <u>a</u> state fiscal year".	Upon passage.	
25.	8-1-19.5-12	31	Incorrect internal references. In subsection (a) of IC 8-1-19.5-12, three references to subsections within IC 8-1-19.5-11 are incorrect. PD 3006 corrects those three internal references.	Upon passage.	Kristina Wheeler, General Counsel, IURC Sarah Burkman, LSA Attorney [source]
26.	8-1.5-3.5-1	32	Incorrect word. This definitions section in the new chapter IC 8-1.5-3.5 reads, "as used in this <u>section</u> " instead of "as used in this <u>chapter</u> ". Clearly, "as used in this chapter" must have been the intended wording and "as used in this section" must have been used by mistake. PD 3006 substitutes "chapter" for "section".	Upon passage.	

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27.	8-1.5-3.5-2	32	Incorrect word. This definitions section in the new chapter IC 8-1.5-3.5 reads, "as used in this <u>section</u> " instead of "as used in this <u>chapter</u> ". Clearly, "as used in this chapter" must have been the intended wording and "as used in this section" must have been used by mistake. PD 3006 substitutes "chapter" for "section".	Upon passage.	
28.	8-21-3-19.5	32	Prior millennium reference. IC 8-21-3-19.5 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage	
29.	8-23-9-12	33	Prior millennium reference. IC 8-23-9-12 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
30.	9-19-11-2	34	Incorrect terminology. SECTION 1 of HEA 1098 [P.L.67-2004] amended IC 9-13-2-23 to change the defined term from "child passenger restraint system" to "child restraint system". In IC 9-19-11-2(a), in the second place where the term "child passenger restraint system" appears, the word "passenger" has not been stricken. PD 3006 strikes "passenger" in that place.	Upon passage.	Andy Roesener, LSA Attorney [source]
31.	9-24-15-6.5	35	Incorrect internal reference. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the reference in IC 9-24-15-6.5 to "IC 9-30-6-9(b)" was not amended accordingly. PD 3006 changes that "IC 9-30-6-9(b)" into "IC 9-30-6-9(c)"	Upon passage.	Andy Roesener, LSA Attorney [source]
32.	9-24-15-9	35	Incorrect internal reference. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the reference in IC 9-24-15-9 to "IC 9-30-6-9(b)" was not amended accordingly. PD 3006 changes that "IC 9-30-6-9(b)" into "IC 9-30-6-9(c)"	Upon passage.	Andy Roesener, LSA Attorney [source]
33.	9-30-5-5	36	Incorrect internal reference. In subsection (b)(2), IC 9-30-5-5 refers to "a controlled substance listed in schedule I or II of IC 35-48-4 ". The controlled substances are listed in schedules in IC 35-48- 2 , not IC 35-48-4. PD 3006 changes "IC 35-48-4" to "IC 35-48-2".	Upon passage.	Stephen Johnson, Exec. Director, Pros. Attnys Council Cheri Harris, Ind. Judicial Center [source]

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34.	9-30-5-14	36	Incorrect internal references. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the references in IC 9-30-5-14 to "IC 9-30-6-9(a)" and "IC 9-30-6-9(b)" were not amended accordingly. PD 3006 changes the three references to "IC 9-30-6-9(a)" into "IC 9-30-6-9 (b) " and changes one reference to "IC 9-30-6-9(b)" into "IC 9-30-6-9 (c) ".	Upon passage.	Andy Roesener, LSA Attorney [source]
35.	9-30-6-10	37	Incorrect internal reference. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the reference in IC 9-30-6-10 to "section 9(a) of this chapter" was not amended accordingly. This draft changes that reference to "section 9(a)" into "section 9 (b) ".	Upon passage.	Andy Roesener, LSA Attorney [source]
36.	9-30-6-13.5	38	Incorrect internal reference. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the reference in IC 9-30-6-13.5 to "section 9(b) of this chapter" was not amended accordingly. This draft changes that reference to "section 9(b)" into "section 9 (c) ".	Upon passage.	Andy Roesener, LSA Attorney [source]
37.	9-30-6-16	38	Prior millennium reference. IC 9-30-6-16 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
38.	9-30-6-18	38	Incorrect internal reference. In 2004, IC 9-30-6-9 was amended by the addition of a new subsection (a), and the pre-existing subsections of IC 9-30-6-9 were re-designated accordingly ["(a)" became "(b)", etc.]. But the reference in IC 9-30-6-18 to "section 9(b) of this chapter" was not amended accordingly. This draft changes that reference to "section 9(b)" into "section 9 (c) ".	Upon passage.	Andy Roesener, LSA Attorney [source]
39.	9-30-9-7.5	39	Incorrect internal references. In both subsections of IC 9-30-9-7.5 there are references to subsections within IC 9-30-9-5 and IC 9-30-9-7. These references are incorrect. (Neither IC 9-30-9-5 nor IC 9-30-9-7 contains a subsection "(d)".) PD 3006 corrects those internal references.	Upon passage.	Andy Roesener, LSA Attorney [source]
40.	10-18-2-12	39	Indentation problem. The final line in subdivision (2) of IC 10-18-2-12 should be double-block indented instead of beginning at the left margin. PD 3006 gives that line the proper indentation. [Note that this change is not immediately apparent because no bold or stricken type is needed to make the change.]	Upon passage.	

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41.	12-7-2-64	40	Incorrect reference to an entity of state government. In a reference to the division of disability, aging, and rehabilitative services, PD 3006 changes "disabilities" to "disability".	Upon passage.	
42.	12-13-7-1	40	Reference to repealed federal law. Subdivision (5) includes a reference to "42 U.S.C. 658 et seq." 42 U.S.C. 658 has been repealed. The federal law governing the Child Care and Development Block Grant is now found at 42 U.S.C. 9858 et seq. (Title 42, Chapter 105, Subchapter II-B of the U.S. Code). PD 3006 amends the reference in IC 12-13-7-1(5) in conformity with the change in federal law.	Upon passage.	Annette Biesecker, Legislative Director, FSSA Erin McQueen, FSSA
43.	12-13-7-2	41	Reference to repealed federal law. Subdivision (1) includes a reference to "42 U.S.C. 658 et seq." 42 U.S.C. 658 has been repealed. The federal law governing the Child Care and Development Block Grant is now found at 42 U.S.C. 9858 et seq. (Title 42, Chapter 105, Subchapter II-B of the U.S. Code). PD 3006 amends the reference in IC 12-13-7-2(1) in conformity with the change in federal law.	Upon passage.	Annette Biesecker, FSSA Erin McQueen, FSSA
44.	12-15-2-0.5	41	Incorrect numbering of subdivisions. In subsection (a) there are two subdivisions numbered "(2)". PD 3006 rennumbers the second subdivision as "(3)".	Upon passage.	Casey Kline, LSA Attorney [source]
45.	12-15-19-10	42	Internal reference change. Amends subsection (a)(2) of IC 12-15-19-10, which includes a reference to IC 12-15-19-9, to indicate that IC 12-15-19-9 is being repealed. [See REPEALERS OF CODE SECTIONS, IC 12-15-19-9, below in this outline.]	Upon passage.	
46.	12-15-35-28	43	Conflict resolution. Resolves the conflict between the version of IC 12-15-35-28 as amended by SEA 106 [P.L.97-2004] and the version of IC 12-15-35-28 as amended by HEA 1032 [P.L.28-2004]. The versions conflict only in that the HEA 1032 version contained one word ("issued") that was not contained in the SEA 106 version.	Upon passage.	
47.	12-17-2-26	46	Reference to repealed federal law. Subsection (c) includes a reference to "42 U.S.C. 658", a section of the U.S. Code that has been repealed. This draft replaces the references to 42 U.S.C. 658 and 42 U.S.C. 658A in IC 12-17-2-26(c) with a general reference to "relevant federal statutes".	Upon passage.	Annette Biesecker, FSSA Elizabeth Brown, Dep. Gen. Counsel, FSSA

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48.	13-11-2-17	47	Incorrect internal reference. Subsection (a) of IC 13-11-2-17 defines the term "board" for all of IC 13, "except as provided in subsections (b) through (j)". However, there is no subsection (j) in IC 13-11-2-17. The alternative definitions of "board" are found in subsections (b) through <u>(i)</u> . PD 3006 strikes the reference to subsection "(j)" and substitutes "(i)".	Upon passage.	Wendy Hoffspiegel, Dept. Envmtl Mgmt Steve Barnes, LSA Admin. Code [source]
49.	IC 13-11-2-61	47	Application of definition. IC 13-11-2-61 defines the term "dredged material" for the purposes of "this chapter (i.e., IC 13-11-2) <i>and IC 13-18-22</i> ". However, the term "dredged material" <u>is not used</u> in IC 13-18-22. PD 3006 strikes "and IC 13-18-22" in IC 13-11-2-61.	Upon passage.	Wendy Hoffspiegel, Dept. Envmtl Mgmt Bob Bond, LSA Attorney [source]
50.	13-18-22-2	47	Incorrect internal reference. In subsection (a), "IC 13-11-2-25.8(1)(B)" must be changed to "IC 13-11-2-25.8 <u>(a)</u> (1)(B)" because IC 13-11-2-25.8 was divided into subsections in 2004 and the definition of Class I wetland is within the part of IC 13-11-2-25.8 that became subsection (a).	Upon passage.	Wendy Hoffspiegel, Dept. Envmtl Mgmt [source]
51.	14-30-4-6	48	Expired expiration provision. As enacted in 2001, IC 14-30-4-6 provided that the Upper Wabash River Basin Commission would expire on January 1, 2002, unless the executives of all of the counties containing territory within the upper Wabash River basin had elected by that date to participate in the commission. According to Stacia L. Henderson, Administrative Secretary of the Upper Wabash River Basin Commission, 100% participation was achieved by January 1, 2002, so the expiration provision did not take effect and has expired with the passage of time. PD 3006 amends IC 14-30-4-6 by eliminating the expiration provision.	Upon passage.	Stacia L. Henderson, Admin. Secretary Upper Wab. R.B.C.
52.	16-38-4-8	48	Conflict resolution. Resolves the conflict between the version of IC 16-38-4-8 as amended by SEA 188 [P.L.17-2004] and the version of IC 16-38-4-8 as amended by HEA 1032 [P.L.28-2004].	Upon passage.	

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53.	16-46-6-4	49	Omitted language. Subsection (a)(9) of IC 16-46-6-4 indicates that one position on the interagency state council on black and minority health is to be filled by a representative of a local health department. However, subsection (a)(9) does not indicate <i>who is to appoint</i> the local health department representative to fill that position. It seems reasonable to assume that this appointment was to have be made by the governor and that the words "by the governor" were omitted from subsection (a)(9) by mistake. IC 16-46-6-4 provides for the governor to appoint nine other members to the council. Only four positions on the council are to be filled by appointments made by someone <i>other</i> than the governor, and those positions are for legislators who are to be appointed by the speaker of the house of representatives and the president pro tempore of the senate.	Upon passage.	Jon Laramore, Counsel to the Governor [source]
54.	22-3-12-2	50	Incorrect agency reference. The proper name of the entity referred to in IC 22-3-12-2 is "rehabilitation services bureau", not "rehabilitative services bureau". (See IC 12-12-1-1.) PD 3006 corrects the reference.	Upon passage	Steve Wenning, LSA Attorney [source]
55.	24-4.5-7-103	50	Incorrect definition reference. HEA 1229 [P.L.73-2004] amended IC 24-4.5-7-110 so that the term it defines became "monthly <u>gross</u> income" instead of "monthly net income." However, IC 24-4.5-7-103, a section referring to the definition in IC 24-4.5-7-110, was not amended accordingly. This draft amends IC 24-4.5-7-103 so that it correctly refers to IC 24-4.5-7-110 as a section that defines the term "monthly <u>gross</u> income."	Upon passage.	
56.	24-5-8-6	50	Prior millennium reference. IC 24-5-8-6 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	

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57.	25-1-6-8	51	Incorrect agency reference. IC 25-1-6-8 uses the term "bureau" five times. However, the term "bureau" is not defined for purposes of the chapter IC 25-1-6; it does not appear anywhere in IC 25-1-6 other than in IC 25-1-6-8; and it seems clearly out of place in IC 25-1-6-8. IC 25-1-6 is about the Professional Licensing <i>Agency</i> , not about any bureau. However, the immediately preceding chapter, IC 25-1-5, is all about the Health Professions <i>Bureau</i> ; the term "bureau" is defined for purposes of IC 25-1-5 as the Health Professions Bureau; and the term "bureau" is used frequently throughout IC 25-1-5. The text of IC 25-1-6-8 is identical to the text of IC 25-1- 5 -8, a section in the chapter about the Health Professions Bureau. It appears that IC 25-1-5-8 and IC 25-1-6-8 were intended to be <u>parallel</u> provisions, with IC 25-1-5-8 applying to the Health Professions Bureau and IC 25-1-6-8 applying to the Professional Licensing Agency, and that when the text of IC 25-1-5-8 was blocked and copied to create IC 25-1-6-8, the one necessary change -- substituting "licensing agency" for "bureau" -- was overlooked. This draft amends IC 25-1-6-8 by striking "bureau" and substituting "licensing agency," which is defined in IC 25-1-6 to mean the Professional Licensing Agency.	Upon passage.	Medana Davis, Staff Counsel, Pro. Licensing Acy Steve Wenning, LSA Attorney Peggy Piety, LSA Attorney
58.	25-1-12-3	51	Misspelled word. "Marine corp" must be changed to "Marine <u>corps</u> ".	Upon passage.	
59.	25-1-12-6	51	Omitted words. PD 3006 adds "board, commission, or committee" to IC 25-1-12-6 where needed to reflect the fact that the license, certificate, registration, or permit held by an individual serving in the military might have been issued by a board (e.g., the Indiana Board of Accountancy), a commission (e.g., the Indiana Auctioneer Commission), or a committee (e.g., the Committee of Hearing Aid Dealer Examiners) instead of by an "agency". (The term "agency" is <u>not</u> defined to include all such entities for the purposes of IC 25-1-12-6.) PD 3006 also restructures subsection (b)(2), which was tabulated in a nonstandard way.	Upon passage.	Medana Davis, Staff Counsel, Pro. Licensing Acy Peggy Piety, LSA Attorney [source]
60.	25-28.5-1-7	52	Incorrect numbering of subdivisions. In IC 25-28.5-1-7, subdivision (3) is followed by subdivision <u>(6)</u> . PD 3006 rennumbers subdivision (6) as "(4)".	Upon passage.	Casey Kline, LSA Attorney [source]
61.	25-28.5-1-8	53	Incorrect numbering of subdivisions. In IC 25-28.5-1-8, subdivision (2) is followed by subdivision <u>(4)</u> . PD 3006 rennumbers subdivision (4) as "(3)".	Upon passage.	Casey Kline, LSA Attorney [source]
62.	25-29-3-4	53	Incorrect internal reference. The reference to "IC 25-9-4" in IC 25-29-3-4 is incorrect. (IC 25-9 concerns the licensing of boxing matches, not the licensing of podiatrists.) PD 3006 replaces the reference to "IC 25-9-4" with a reference to "IC 25- 29 -4".	Upon passage.	For the SECTIONS amending IC 25-29-3-4,

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
63.	25-29-5-1	53	Incorrect internal reference. The references to "IC 25-9-3-1" and "IC 25-9-3" in IC 25-29-5-1 are incorrect. (IC 25-9 concerns the licensing of boxing matches, not the licensing of podiatrists.) PD 3006 replaces these references with references to IC 25- 29 -3-1 and IC 25- 29 -3, which establish requirements for podiatrist license applicants.	Upon passage.	IC 25-29-5-1, and IC 25-29-5-3: Barbara McNutt, Chief Counsel, Health Prof. Bureau and Prof. Lic. Acy
64.	25-29-5-3	53	Incorrect internal references. The references to "IC 25- 9 -3-1(3)" and "IC 25- 9 -1(4)" and "IC 25- 9 -3-1" are incorrect. (IC 25-9 concerns the licensing of boxing matches, not the licensing of podiatrists.) PD 3006 replaces these references with references to IC 25- 29 -3-1, which establishes requirements for podiatrist license applicants. An OBDAR attorney who works on professional licensing legislation provided the replacement references.	Upon passage.	Valerie L. Jones, Board Director Soc. Worker, etc., Bd Medana Davis, Staff Counsel, Pro. Licensing Acy Shannon Calvin, Assistant Director, Podiatry Group <u>Health Prof. Bur.</u>
65.	25-34.1-1-2	54	Faulty tabulation. According to the LSA attorney who drafted HB 1005 [P.L.64-2004], the definition of "commercial real estate" that was added to IC 25-34.1-1-2 in HEA 1005 should be amended: the language that follows "(4) homes in a subdivision" should be removed from subdivision (4) and brought to the left margin because it was meant to refer to all four subdivisions of the definition, not just to subdivision (4). [Note that this change is not immediately apparent because no bold or stricken type is needed to make the change.]	Upon passage.	Bob Bond, LSA Attorney [source]
66.	27-8-10-2.3	55	Conflict resolution. Resolves the conflict between the version of IC 27-8-10-2.3 as amended by HEA 1032 [P.L.28-2004] and the version of IC 27-8-10-2.3 as amended by HEA 1273 [P.L.51-2004].	Upon passage.	
67.	27-10-2-10	55	Prior millennium reference. IC 27-10-2-10 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
68.	29-1-7.5-1.5	57	Prior millennium reference. IC 29-1-7.5-1.5 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
69.	31-16-12.5-4	58	Incorrect internal references. A court would receive the petition referred to in subsection (a) of IC 31-16-12.5-4 under section <u>2</u> of the chapter (31-16-12.5-2), not under section 1. (Section 1 simply reads, "This chapter does not apply to a support order entered in a Title IV-D case." Section 2 provides for the filing of a petition for setoff of child support from a state income tax refund payable to a child support obligor.) PD 3006 changes the reference accordingly.	Upon passage.	Andy Roesner, LSA Attorney [source]
70.	31-34-1-1	58	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	For the SECTIONS amending IC 31-34-1-1 through IC 31-34-1-11: Stephen DeMougin, Director, Div. of Family & Ch.
71.	31-34-1-2	59	Faulty tabulation. In subsection (a)(2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	
72.	31-34-1-4	59	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	Rachel McGeever, General Counsel, FSSA
73.	31-34-1-5	59	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	Annette Biesecker, Legislative Director, FSSA
74.	31-34-1-6	59	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	John Wood, Attorney, FSSA
75.	31-34-1-7	60	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	John Rowings, Director, LSA Bill Drafting [source]
76.	31-34-1-11	60	Faulty tabulation. In subdivision (2), clause (B) must have been meant to modify "care, treatment, or rehabilitation" rather than "child". So "the child" must be shifted to the beginning of clause (B).	Upon passage.	_____

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
77.	32-25-1-2	60	Incorrect internal reference. Subsection (b)(1) refers to determinations made in accordance with voting percentages established in "this chapter". The reference to "this chapter" must be changed to "this <u>article</u> ". The chapter that includes IC 32-25-1-2 is the general "application of law" chapter of the article on condominiums. The provisions concerning minimum voting percentages are found in <u>other</u> chapters of the article.	Upon passage.	
78.	32-25-2-5	61	Incorrect internal reference. In subdivision (4)(A), the reference to expenses declared common expenses by "this chapter" must be changed to "this <u>article</u> ". The chapter that includes IC 32-25-2-5 is the definitions chapter of the article on condominiums. The provisions concerning declaration of common expenses are found in <u>other</u> chapters of the article.	Upon passage.	
79.	32-25-2-7	61	Incorrect internal reference. In subdivision (1), "condominium" is defined as "real estate . . . lawfully subjected to this <u>chapter</u> by the recordation of condominium instruments". The word "chapter" must be changed to " <u>article</u> " because the chapter that includes IC 32-25-2-7 is the definitions chapter of the article on condominiums. The reference should be to the entire article IC 32-25, which comprises the law on condominiums.	Upon passage.	
80.	32-29-1-11	61	Conflict resolution. Resolves the conflict between the version of IC 32-29-1-11 as amended by P.L.122-2003 and the version of IC 32-29-1-11 as amended by P.L.151-2003.	Upon passage.	
81.	33-28-4-7	62	Omitted conjunction. In subsection (b) of IC 33-28-4-7, there should be a conjunction at the end of the second-last subdivision. PD 3006 inserts the word "and" at the end of subdivision (2).	Upon passage.	
82.	33-28-4-8	62	Incorrect internal reference. Subsection (g) of IC 33-28-4-8 contains the following: "except as provided in subsections (c), (d), and (l), a person who has been convicted of a crime of domestic violence . . . may not possess a firearm . . . " The references to subsections (c) and (d) are incorrect: subsections (c) and (d) do not set forth exceptions to the prohibition against a domestic violence offender possessing a firearm. PD 3006 strikes the references to subsections (c) and (d) and substitutes references to subsections (h) and (i) , which do set forth exceptions to the prohibition against a domestic violence offender possessing a firearm.	Upon passage.	Andy Hedges, LSA Attorney [source] Tim Tyler, LSA Attorney K.C. Norwalk, LSA Attorney
83.	33-33-48-10	65	Omitted section. In the 2004 recodification, due to a computer error, the final section of the new chapter IC 33-33-48 was omitted from the LS version. This draft adds that omitted section to IC 33-33-48 as a new section 10.	Upon passage.	Tim Tyler, LSA Attorney [source]

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
84.	33-33-55-9	65	Omitted word. PD 3006 inserts "has" in the first sentence of IC 33-33-55-9, making the sentence read: "The Morgan superior court has concurrent jurisdiction ..."	Upon passage.	
85.	33-33-58-10	65	Duplicated word. In the first sentence of IC 33-33-58-10, the word "superior" appears twice in succession ("The Ohio and Switzerland superior superior court ..."). PD 3006 strikes the second "superior".	Upon passage.	
86.	33-33-65-4	65	Omitted text. In the 2004 recodification, due to a computer error, the text originally intended for IC 33-33-65-4 (providing that the Posey superior court has a standard small claims and misdemeanor division) was omitted. The text mistakenly inserted in its place (providing that the Posey superior court has the same jurisdiction as the Posey circuit court) duplicates the text of IC 33-33-65- 5 . PD 3006 amends IC 33-33-65-4 by striking the text mistakenly inserted by the recodification bill and inserting the text originally intended for IC 33-33-65-4.	Upon passage.	Tim Tyler, LSA Attorney [source]
87.	33-33-71-38	66	Misspelled word. The word "candidate" is misspelled in IC 33-33-71-38 as "cnadidate". PD 3006 corrects this misspelling.	Upon passage.	
88.	33-34-8-1	66	Conflict resolution. Resolves the conflict between the version of IC 33-34-8-1 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-34-8-1 as amended by HEA 1437 [P.L.85-2004]. Each added a new subdivision (9) to subsection (a). PD 3006 re-designates one of the subdivisions as "(10)".	Upon passage.	
89.	33-37-4-1	66	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-1 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-1 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (15) to subsection (b). PD 3006 re-designates one of the subdivisions as "(16)".	Upon passage.	
90.	33-37-4-2	68	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-2 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-2 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (11) to subsection (b). PD 3006 re-designates one of the subdivisions as "(12)". PD 3006 also: places the Code citations in subdivisions (11) and (12) within parentheses in conformity with the style used elsewhere in the section; strikes a reference to IC 33-19-6-17, which was repealed in 2004; and strikes the reference to "IC 34-28-5-4" in subsection (f) and replaces it with a reference to "IC 34-28-5- 5 ". [IC 34-28-5-4 does not refer to the subject of costs and IC 34-28-5-5 is devoted exclusively to costs.]	Upon passage.	

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
91.	33-37-4-3	69	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-3 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-3 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (9) to subsection (b). PD 3006 re-designates one of the subdivisions as "(10)". PD 3006 also places the Code citations in subdivisions (9) and (10) within parentheses in conformity with the style used elsewhere in the section.	Upon passage.	
92.	33-37-4-4	70	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-4 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-4 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (5) to subsection (b). PD 3006 re-designates one of the subdivisions as "(6)". PD 3006 also places the Code citations in subdivisions (5) and (6) within parentheses in conformity with the style used elsewhere in the section.	Upon passage.	
93.	33-37-4-5	70	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-5 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-5 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (4) to subsection (b). PD 3006 re-designates one of the subdivisions as "(5)". PD 3006 also places the Code citations in subdivisions (4) and (5) within parentheses in conformity with the style used elsewhere in the section.	Upon passage.	
94.	33-37-4-6	71	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-6 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-6 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (4) to subsection (b). PD 3006 re-designates one of the subdivisions as "(5)". PD 3006 also places the Code citations in subdivisions (4) and (5) within parentheses in conformity with the style used elsewhere in the section.	Upon passage.	
95.	33-37-4-7	71	Conflict resolution. Resolves the conflict between the version of IC 33-37-4-7 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-4-7 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subdivision (4) to subsection (b). PD 3006 re-designates one of the subdivisions as "(5)". PD 3006 also places the Code citations in subdivisions (4) and (5) within parentheses in conformity with the style used elsewhere in the section.	Upon passage.	
96.	33-37-5-25	72	Incorrect internal reference. IC 33-37-5-25, which was added to the Indiana Code in 2004, refers to "IC 33-19-1-1". The 2004 recodification of Title 33 [SEA 263, P.L.98-2004] repealed IC 33-19-1-1 and replaced it with IC 33-37-1-1. PD 3006 strikes the reference to IC 33-19-1-1 and replaces it with a reference to IC 33-37-1-1.	Upon passage.	Cheri Harris, Ind. Judicial Center [source]

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
97.	33-37-7-1	72	Conflict resolution. Resolves the conflict between the version of IC 33-37-7-1 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-7-1 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subsection (h). PD 3006 re-designates one of these subsections as "(i)" and re-designates the present subsection (i) as subsection "(j)".	Upon passage.	
98.	33-37-7-2	74	Conflict resolution. Resolves the conflict between the version of IC 33-37-7-2 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-7-2 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subsection (i). PD 3006 re-designates one of these subsections as "(j)" and re-designates the present subsection (j) as subsection "(k)".	Upon passage.	
99.	33-37-7-7	76	Conflict resolution. Resolves the conflict between the version of IC 33-37-7-7 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-7-7 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subsection (g). PD 3006 re-designates one of these subsections as "(h)" and re-designates the present subsection (h) as subsection "(i)".	Upon passage.	
100.	33-37-7-8	78	Conflict resolution. Resolves the conflict between the version of IC 33-37-7-8 as amended by HEA 1401 [P.L.95-2004] and the version of IC 33-37-7-8 as amended by HEA 1437 [P.L.85-2004]. Each act added a new subsection (g). PD 3006 re-designates one of these subsections as "(h)" and re-designates the present subsection (h) as subsection "(i)".	Upon passage.	
101.	33-38-5-8.2	79	Inconsistent references. The new account created by HEA 1401 [P.L.95-2004] was referred to as the "judicial branch insurance adjustment account" in all of HEA 1401 except for the SECTION adding IC 33-38-5-8.2(a), which referred to it as the "judicial branch <u>health care</u> adjustment account." PD 3006 amends IC 33-38-5-8.2(a) to change "judicial branch health care adjustment account" to "judicial branch <u>insurance</u> adjustment account", thus making the references to the new account consistent.	Upon passage.	Bob Rudolph, LSA Attorney [source]
102.	33-38-13-33	80	Omitted text. In the 2004 recodification, due to a computer error, the text originally intended for IC 33-38-13-33 (providing that all papers filed with chairman of the Commission on Judicial Qualifications are considered to have been filed with the Commission) was omitted. The text mistakenly inserted in its place (concerning the issuance of subpoenas by a master) duplicates the text of IC 33-38-13- 31 (a). This draft amends IC 33-38-13-33 by striking the text that was mistakenly inserted in IC 33-38-13-33 in the recodification bill and inserting the text that was originally intended for IC 33-38-13-33.	Upon passage.	Tim Tyler, LSA Attorney [source]

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
103.	33-42-6-1	80	Omitted text. In the 2004 recodification, due to a computer error, the text originally intended for IC 33-42-6-1 (concerning "Federal Land Bank Employees Acting as Notaries in Certain Transactions") was omitted. The text mistakenly inserted in its place (concerning "Acknowledgment of Lot Sales by a Notary Who Is a Member of Cemetery Association") duplicates the text of IC 33-42- 7 -1. PD 3006 amends IC 33-42-6-1 by striking the text that was mistakenly inserted by the recodification bill and inserting the text that was originally intended for IC 33-42-6-1.	Upon passage.	Tim Tyler, LSA Attorney [source]
104.	34-30-2-125.5	80	Incorrect internal reference. IC 34-30-2-125.5 indicates that the Code section protecting volunteer advocates for seniors against civil liability is IC 29-3-8.5-9. This is incorrect. The section providing that protection is IC 29-3-8.5- 8 . PD 3006 corrects the reference.	Upon passage.	K.C. Norwalk, LSA Attorney [source]
105.	35-33-2-2	80	Prior millennium reference. IC 35-33-2-2 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
106.	35-33-4-1	81	Prior millennium reference. IC 35-33-4-1 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
107.	35-33-5-2	83	Prior millennium reference. IC 35-33-5-2 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
108.	35-33-5-3	84	Prior millennium reference. IC 35-33-5-3 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
109.	35-34-1-2	84	Prior millennium reference. IC 35-34-1-2 provides for the entry of a date, and the space in which the date is to be entered includes "19__", anticipating that the date will be within a year that begins with "19". PD 3006 replaces "19__" with "20__".	Upon passage.	
110.	35-37-4-6	86	Incorrect internal references. In subsection (a)(2), "IC 35-42-2-1(2)(B)" must be changed to "IC 35-42-2-1(<u>a</u>)(2)(B)". In subsection (b)(5) there is an incorrect reference to the law on home improvement fraud. The proper cite for the law on home improvement fraud is IC 35- 43 -6. PD 3006 corrects those incorrect references.	Upon passage.	
111.	35-37-4-8	88	Incorrect internal reference. In subsection (a)(2), "IC 35-42-2-1(2)(B)" must be changed to "IC 35-42-2-1(<u>a</u>)(2)(B)".	Upon passage.	

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
112.	35-37-6-2	90	Incorrect internal references. In subdivision (2)(A) through (2)(C), each reference to "35-42-2-1(2)(*)" must be changed to "35-42-2-1(a)(2)(*)".	Upon passage.	
113.	35-38-1-17	90	Inconsistent terminology. IC 35-38-1-17 refers to an individual who is the subject of a criminal prosecution both as "defendant" and as "convicted person." PD 3006 makes the references consistent by changing "defendant" to "convicted person." An individual referred to in IC 35-38-1-17 has been convicted and sentenced and has begun serving his sentence, so "convicted person" seems more appropriate than "defendant." No other section in IC 35-38-1 refers to an individual who has already been sentenced as a "defendant."	Upon passage.	Stephen Johnson, Exec. Director, Pros. Attnys Council
114.	35-42-2-1	91	Conflict resolution. The General Assembly passed two acts amending IC 35-42-2-1 in 2003: HEA 1358 and HEA 1660. Before the final passage of HEA 1358, the changes being made in IC 35-42-2-1 by HEA 1660 were incorporated into HEA 1358 through a Joint Rule 20 motion. Then the governor vetoed HEA 1660. But the governor's veto of HEA 1660 was overridden during the 2004 session. This created a confusing situation with respect to the effective date of the changes made in IC 35-42-2-1 by HEA 1660. Since those changes were incorporated into HEA 1358, they took effect when the SECTION of HEA 1358 amending IC 35-42-2-1 took effect. However, insofar as they were still part of HEA 1660, they took effect much later under IC 1-1-3.1 (the law governing the effectiveness of acts passed over the governor's veto). The 2004 edition of the Indiana Code contains two versions of IC 35-42-2-4: one as amended by HEA 1358 (incorporating the HEA 1660 changes), effective 7/1/2003; and one as amended by HEA 1660, effective 7/1/2004. PD 3006 resolves the conflict between these two versions.	Upon passage.	Phil Sachtleben, Exec. Director, LSA John Rowings, Director, LSA Bill Drafting
115.	35-46-1-8	93	Ambiguity and redundancy. In subsection (b)(1)(A)(i) of IC 35-46-1-8, it is unclear which of two individuals is referred to by the term "person." In subsection (b)(2) the words "at least eighteen (18) years of age" are redundant because subsection (a) already indicated that an individual committing the offense must be at least 18 years of age. PD 3006 adds language specifying the individual to whom "person" refers and eliminates the redundancy.	Upon passage.	
116.	35-46-1-14	94	Faulty internal references. In two places in subdivision (1), "35-42-2-1(2)(*)" must be changed to "35-42-2-1(a)(2)(*)".	Upon passage.	
117.	35-47.5-4-4.5	94	Incorrect reference. IC 35-47.5-4-4.5 indicates that a definition of the term "consumer fireworks" is found in the Code of Federal Regulations at 27 CFR <u>55.11</u> . The definition is actually at 27 CFR <u>555.11</u> . PD 3006 corrects the CFR reference. In addition, in subsection (d) PD 3006 deletes the comma immediately following "A person may not use a regulated explosive".	Upon passage.	

<u>SEC.</u>	<u>IC §</u>	<u>Page</u>	<u>Reason for Amendment or Addition:</u>	<u>Effective Date:</u>	<u>Consulted:</u>
118.	35-50-5-3	95	Conflict resolution. Resolves the conflict between the version of IC 35-50-5-3 as amended by HEA 1437 [P.L.85-2004] and the version of IC 35-50-5-3 as amended by SEA 263 [P.L.98-2004].	Upon passage.	
119.	36-7-31.3-9	97	Faulty tabulation. The words "in the case of" should be transferred from clause (A) to the end of the line immediately preceding clause (A) because they were clearly intended to refer to both clause (A) and clause (B).	Upon passage.	

(2) REPEALERS OF CODE SECTIONS:

<u>SEC.</u>	<u>§ Repealed</u>	<u>Page</u>	<u>Reason for the Repeal:</u>	<u>Effective Date of Repeal:</u>	<u>Consulted:</u>
120.	4-1-7.1-5 98	"(b) This section expires July 1, 2003."		Upon passage.	
	4-4-11-16.1	"(h) This section expires December 31, 2002."		Upon passage.	
	5-13-12-8.5	"(f) This section expires December 31, 2002."		Upon passage.	
	6-6-5-7.5	"(b) This section expires January 1, 2004."		Upon passage.	
	6-6-5.5-15	"(d) This section expires June 30, 2001."		Upon passage.	
	8-1-8.6	8-1-8.6-8: "This chapter expires January 1, 2003."		Upon passage.	Richard Rowley, General Counsel, Development Finance section Dept. of Commerce W. Calvin Kelly Deputy Director, IDFA Kristina Kern Wheeler, General Counsel, IURC Randy Helmen Office of Utility Consumer Counselor
	9-18-25-1.6	Relates exclusively to IC 9-18-25-14, which is being repealed (see below).		Upon passage.	
	9-18-25-14	"(d) This section expires January 2, 2003."		Upon passage.	
	9-18-25-16	"(f) This section expires January 2, 2003."		Upon passage.	

<u>SEC.</u>	<u>§ Repealed</u>	<u>Page</u>	<u>Reason for the Repeal:</u>	<u>Effective Date of Repeal:</u>	<u>Consulted:</u>
120, continued.		98			
	12-15-19-9		"(f) This section expires July 1, 2001."	Upon passage.	
	14-22-12-1.6		"(c) This section expires on December 31, 2001."	Upon passage.	
	21-2-4-7		"(c) This section expires July 1, 2003."	Upon passage.	
	21-2-11.5-5		"(c) This section expires July 1, 2003."	Upon passage.	
	21-2-15-13.1		"(c) This section expires July 1, 2003."	Upon passage.	
	34-13-1-2		"(d) This section expires July 1, 2002."	Upon passage.	
	36-9-31-26		"(e) This section expires June 30, 2002."	Upon passage.	

(3) AMENDMENTS TO NON-CODE SECTIONS:

<u>SEC.</u>	<u>Noncode § Amended</u>	<u>Page</u>	<u>Reason for Amendment:</u>	<u>Eff. Date of Amendment:</u>	
121.	P.L.64-2004, SEC. 39	98	Faulty tabulation. The word "must" must be inserted at the beginning of subdivision (3) in subsection (d). The "must" at the beginning of subdivision (2) should not be relied upon to modify subdivision (3) because it is part of a separate subdivision.	Upon passage.	
122.	P.L.66-2004, SEC. 6	100	Incorrect internal reference. In subsection (e), the internal reference to "subsection (c)" must be changed to "subsection (d) ." The description of the report is in subsection (d), not subsection (c).	Upon passage.	
123.	P.L.90-2004, SEC. 15	101	Incorrect internal reference. In subsection (e), the internal reference to "IC 6-1.1-26-3" should be changed to "IC 6-1.1-26- 4 ". According to the LSA attorney who drafted HB 1055, a county auditor would submit a claim under the latter Code section, not the former.	Upon passage.	Bob Bond, LSA Attorney [source]
124.	P.L.96-2004, SEC. 28	102	Incorrect internal reference. Subsection (b) of P.L.96-2004, SECTION 28, requires the department of workforce development to adopt certain rules on an emergency basis. It includes a "notwithstanding" clause: "Notwithstanding IC 22-4.1-7-7, as added by this act ...". The internal reference in this notwithstanding clause is incorrect. IC 22-4.1-7-7 does not relate to the adoption of rules. It is IC 22-4.1-7- 8 that provides generally for the adoption of rules and that should be referred to in the emergency rulemaking provision.	Upon passage.	

<u>SEC.</u>	<u>Noncode § Amended</u>	<u>Page</u>	<u>Reason for Amendment:</u>	<u>Eff. Date of Amendment:</u>
125.	P.L.231-2003, SEC. 6	102	Incorrect internal reference. The 2004 amendment in HEA 1017 [P.L.24-2004] to this noncode SECTION added a new subsection (b) and re-designated the old subsection (b) as subsection "(c)". But the reference to "subsection (b)" in subsection (a) was not changed accordingly. PD 3006 changes that reference to "subsection (c)".	Upon passage.
126.	P.L.264-2003, SEC. 15	103	Faulty subsection designation. The first and only paragraph of this SECTION is marked "(a)" but there is no subsection (b). So "(a)" must be stricken.	Upon passage.

(4) REPEALERS OF NON-CODE SECTIONS:

<u>SEC.</u>	<u>Noncode § Repealed</u>	<u>Page</u>	<u>Reason for Repeal:</u>	<u>Eff. Date of Repeal:</u>	
127.	P.L.62-2004, SEC. 3	103	Noncode to Code. P.L.62-2004, SECTION 3, provides that the southwest Indiana law enforcement training academy may receive funding only from certain sources. This provision is permanent rather than temporary in nature. Therefore, it should have been added to the Indiana Code. This draft repeals P.L.62-2004, SECTION 3, and adds the language of that noncode provision to IC 5-2-1-10.5.	Upon passage.	Consulted: Maj. Anthony Sommer, Staff Attorney, Indiana State Police

(5) EMERGENCY CLAUSE:

128. "An emergency is declared for this act."